

Community Welfare 1987

- (b) the provision of assistance and supportive services aimed at preventing the breakdown of the family as a social unit.

General assistance

36. (1) The Minister may—

- (a) provide assistance (including financial assistance) for the relief of persons in need or distress;
- (b) provide home support services (that is, assistance in the carrying out of work of a domestic or home-maintenance nature) to persons unable to carry out that work;
- (c) provide homemaker services (that is, services to assist families in the management of their homes) with the object of preventing the breakdown of the family as a social unit;
- (d) provide services designed to meet the needs of children;
- (e) provide services designed to meet the needs of persons who are disadvantaged as referred to in section 4 (1) (c); and
- (f) provide assistance (including financial assistance) to approved non-Government organisations whose objects are or include the provision of assistance or services referred to in this subsection.

(2) Without limiting the Minister's powers under any other provision of this Act, the Minister may make payments out of money provided by Parliament for the purpose of providing assistance referred to in subsection (1) (a) or (f).

PART 5**DISASTER WELFARE SERVICES****Interpretation**

37. (1) In this Part—

“disaster” means an occurrence, whether or not due to natural causes—

- (a) that causes loss of life, injury, distress or danger to persons or the destruction of, or damage to, property; and

Community Welfare 1987

(b) that the Minister, by order in writing, has declared to be a disaster for the purposes of this Part;

“disaster victim” means a person who is in need or distress as a result of a disaster;

“private disaster relief fund” means a fund raised by or resulting from an appeal for support for the purpose of assisting persons who are or may become disaster victims and includes any investments made out of money in such a fund, but does not include the Community Disaster Relief Fund.

(2) A reference in this Part to a particular disaster includes a reference to a particular kind of disaster.

(3) The Minister—

(a) shall not make an order referred to in paragraph (b) of the definition of “disaster” in subsection (1) with respect to an occurrence unless the Minister is of the opinion that the effect of the occurrence is or is likely to be of such magnitude as to warrant its being treated as a disaster for the purposes of this Part; and

(b) shall, as soon as practicable after making such an order, cause a copy of the order to be published in the Gazette.

Co-ordination of welfare services for disaster victims

38. (1) The Director-General may, in accordance with any directions given by the Minister, take such steps as the Director-General thinks fit for the purpose of co-ordinating the provision of community welfare services for disaster victims.

(2) The Director-General shall not exercise any functions under subsection (1) in a manner inconsistent with any of the provisions of the State Emergency Services and Civil Defence Act 1972.

Community Disaster Relief Fund

39. (1) There shall be established by the Director-General a fund to be called the “Community Disaster Relief Fund”.

(2) The Community Disaster Relief Fund shall consist of—

(a) any money paid to the Director-General by any person for the relief of disaster victims generally or disaster victims of a particular disaster specified by the person making the payment; and

Community Welfare 1987

- (c) for the purposes of any legal proceedings arising out of this Act or of any report of any such proceedings;
- (d) in accordance with a requirement imposed under the Ombudsman Act 1974; or
- (e) with other lawful excuse.

Penalty: \$1,000 or imprisonment for 12 months, or both.

Proceedings for offences

45. Proceedings for an offence against this Act shall be dealt with summarily before a Local Court constituted by a Magistrate sitting alone.

Regulations

46. (1) The Governor may make regulations, not inconsistent with this Act, for or with respect to any matter that by this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act and, in particular, for or with respect to—

- (a) any council or committee and its members and functions;
- (b) the Community Welfare Fund;
- (c) the control and regulation of the Home Care Service; and
- (d) the Community Disaster Relief Fund.

(2) A provision of a regulation may—

- (a) apply generally or be limited in its application by reference to specified exceptions or factors;
- (b) apply differently according to different factors of a specified kind; or
- (c) authorise any matter or thing to be from time to time determined, applied or regulated by any specified person or body,

or may do any combination of those things.

Community Welfare 1987

SCHEDULE 1

(Secs. 14, 15, 16)

CONSTITUTION OF CERTAIN COUNCILS

Interpretation

1. In this Schedule, a reference to a member of a council includes, subject to the regulations, a reference to the member's alternative appointed and acting in accordance with the regulations made for the purposes of clause 9 of Schedule 2.

Community Services Training Council

2. (1) The Community Services Training Council shall consist of 12 members appointed by the Governor.

(2) The Community Services Training Council shall include at least 1 person from each of the following bodies or classes of persons:

- (a) Government departments concerned in community welfare;
- (b) approved non-Government organisations engaged in the provision of community welfare services;
- (c) tertiary training institutions;
- (d) students engaged in courses relating to community welfare or social development;
- (e) trade unions;
- (f) such other bodies or classes of persons as may be prescribed by the regulations.

(3) Of the members of the Community Services Training Council—

- (a) 3 shall be officers nominated by the Minister; and
- (b) the remainder shall be persons nominated in accordance with subclause (4).

(4) For the purposes of the appointment of the members of the Community Services Training Council referred to in subclause (3) (b), nominations may be submitted to the Minister in accordance with regulations prescribing—

- (a) persons who, or bodies or other classes of persons that, may submit nominations;
- (b) the number of nominations that may be submitted by each person, body or class so prescribed; and
- (c) the times within which nominations may be submitted.

(5) The regulations may provide for the nomination of a number of persons in excess of the number of members of the Community Services Training Council that may be appointed.

Community Welfare Advisory Council

3. (1) The Community Welfare Advisory Council shall consist of such number of persons, appointed by the Governor, as the Governor thinks fit.

SCHEDULE 2

(Secs. 14, 15, 16, 17)

PROCEDURE OF CERTAIN COUNCILS AND COMMITTEES

Interpretation

1. In this Schedule, a reference to a member of a council or committee includes, subject to the regulations, a reference to the member's alternative appointed and acting in accordance with the regulations made for the purposes of clause 9.

Quorum

2. The quorum for a meeting of a council or committee shall consist of a majority of the members of the council or committee.

Temporary chairperson

3. In the absence of the chairperson from any meeting of a council or committee, the members present shall appoint one of their number to preside at that meeting.

Casting vote of chairperson

4. The chairperson or member presiding at a meeting of a council or committee shall have a deliberative vote and, in the event of an equality of votes, shall have a second or casting vote.

Voting

5. A decision supported by a majority of votes cast at a meeting of a council or committee at which a quorum is present shall be the decision of the council or committee.

Attendance of Director-General at proceedings of Community Welfare Advisory Council

6. The Director-General may attend and participate, but not vote, in the proceedings and deliberations of the Community Welfare Advisory Council.

Meetings

7. (1) The frequency of meetings of a council or committee and the procedures for the conduct of business at those meetings shall, subject to subclause (2) and any directions by the Minister, be as determined by the council or committee.

(2) Meetings of the Community Services Training Council shall be convened so that at least 6 meetings are held every year.

Minutes

8. The chairperson of a council or committee shall cause minutes of the proceedings and decisions at each meeting of the council or committee to be kept, and shall furnish the Director-General with a copy of those minutes as soon as practicable after each meeting.

Alternative members

9. The regulations may make provision for or with respect to the appointment of alternative members for members of a council or committee and the exercise by them of the functions of those members.

*Community Welfare 1987*SCHEDULE 2—*continued*PROCEDURE OF CERTAIN COUNCILS AND COMMITTEES—*continued***Subcommittees**

10. (1) A council or committee may establish subcommittees (whether or not consisting of members of the council or committee) for the purpose of advising the council or committee upon such matters within the scope of the council's or committee's functions as may be referred to the subcommittees by the council or committee.

(2) The convenor of a subcommittee shall be a member of the council or committee by which it is established.

Representatives of departments and authorities

11. A council or committee may invite representatives of other organisations (including State or Commonwealth Government departments and public or local authorities) to participate, but not vote, in the proceedings and deliberations of the council or committee.

Secretary

12. The secretary of a council or committee shall be an officer designated by the Director-General.

Application of Schedule to subcommittee

13. The provisions of this Schedule apply to a subcommittee of a council or committee in the same way as they apply to the council or committee.

The statutes of New South Wales (public and private) passed during the session of... [electronic resource]

Corporate Author: New South Wales

AIATSIS Library, ELECTRONIC ACCESS ONLY
vn71409-23x